

Representative Ryan D. Wilcox proposes the following substitute bill:

NONRESIDENT TUITION WAIVER AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl Wimmer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to an exemption from the nonresident portion of total tuition within the State System of Higher Education.

Highlighted Provisions:

This bill:

- ▶ allows certain nonimmigrant aliens, as defined by federal law, to qualify for an exemption from the nonresident portion of total tuition with the State System of Higher Education under certain circumstances; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2011.

Utah Code Sections Affected:

AMENDS:

53B-8-106, as enacted by Laws of Utah 2002, Chapter 230

Be it enacted by the Legislature of the state of Utah:



26 Section 1. Section **53B-8-106** is amended to read:

27 **53B-8-106. Resident tuition -- Requirements -- Rules.**

28 (1) If allowed under federal law, a student[~~, other than a nonimmigrant alien within the~~
29 ~~meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States~~
30 ~~Code,~~] shall be exempt from paying the nonresident portion of total tuition if the student:

31 (a) attended high school in this state for three or more years;

32 (b) graduated from a high school in this state or received the equivalent of a high
33 school diploma in this state; and

34 (c) registers as an entering student at an institution of higher education not earlier than
35 the fall of the 2002-03 academic year.

36 (2) In addition to the requirements under Subsection (1), a student without lawful
37 immigration status shall file an affidavit with the institution of higher education stating that the
38 student has filed an application to legalize his immigration status, or will file an application as
39 soon as he is eligible to do so.

40 (3) The State Board of Regents shall make rules for the implementation of this section.

41 (4) Nothing in this section limits the ability of institutions of higher education to assess
42 nonresident tuition on students who do not meet the requirements under this section.

43 Section 2. **Effective date.**

44 This bill takes effect on July 1, 2011.